

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA,	:	Case Nos: 3:06-cr-154
	:	3:08-cv-008
Plaintiff,	:	
	:	Judge Timothy S. Black
vs.	:	Magistrate Judge Michael J. Newman
	:	
THOMAS L. McCAULEY,	:	
	:	
Defendant.	:	

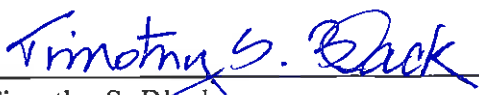
**DECISION AND ENTRY: (1) ADOPTING THE REPORT AND  
RECOMMENDATIONS OF THE MAGISTRATE JUDGE (Doc. 107); (2) DENYING  
DEFENDANT'S MOTION TO VACATE (Doc. 88); (3) DENYING ANY REQUESTED  
CERTIFICATE OF APPEALABILITY OR LEAVE TO FILE IN FORMA  
PAUPERIS; AND (4) TERMINATING THESE CASES**

This case is before the Court on the Report and Recommendations of United States Magistrate Judge Michael J. Newman, who recommends that Defendant's Motion to Vacate be denied. (Doc. 107). The parties filed no objections to the Report and Recommendations of the Magistrate Judge and the time for doing so has expired.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court reviewed the comprehensive findings of the Magistrate Judge, considered all issues presented in Defendant's Motion *de novo*, and concludes that: (1) the Report and Recommendations of the Magistrate Judge (Doc. 107) should be and hereby is **ADOPTED** in its entirety; (2) Defendant's Motion to Vacate (Doc. 88) should be and hereby is **DENIED**; (3) any requested certificate of appealability and/or leave to appeal *in forma pauperis* should be and hereby is **DENIED**; and (4) these cases are hereby terminated.

**IT IS SO ORDERED.**

Date: 9/13/11

  
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Timothy S. Black  
United States District Judge